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CRIMINAL AND JUVENILE JUSTICE PLANNING
AND STATISTICAL ANALYSIS CENTER
PAUL STAGEBERG, PH.D, ADMINISTRATOR

**JUVENILE JUSTICE ADVISORY COUNCIL
MEETING MINUTES**

September 3, 2009
Polk County River Place
Conference Room #2
2309 Euclid Avenue
Des Moines, Iowa

Present: Jim Morris (Presiding), Geoff Abelson, Andrew Allen, Verne Armstrong, Christy Burkhart, Elia Cardenas, Stephen Clarke, Barbara Edmondson, Rita Ferneau, Karen Jones, Molly McAndrew, Tony Reed, Rachelle Schrader, Jackson Selk, Carl Smith, Steve Smith, John Wauters

Staff: Preston Daniels, Paul Stageberg, Kile Beisner, Jeanne Foster, Dave Kuker, Steve Michael, Scott Musel, Julie Rinker-Lind

Absent: Bryne Berry, Wayne Clinton, Nicole Engelbart, Sarah Hudson, Todd Johnson, Vernon Johnson, Paul Kraus, Lori Rinehart, Marvin Spencer, Linda Svoboda

I. Call to Order

a. Changes and Approval of Agenda – Action

Jim Morris called the meeting to order at 10:02 a.m. There were no changes to the Agenda. Introductions were made at this time. Two new youth members were in attendance: Molly McAndrew and Rachelle Schrader.

b. Approve Minutes – Action

The Minutes were approved as presented.

II. Division Update

Paul Stageberg reported the following:

- The statewide Drug Court Evaluation has been completed and is available on the CJJP website. Major findings include:
 - Recidivism by juveniles reduced while in the program, but increased after release.
 - Courts that offered drug treatment were more successful.

- The "Judge Model" overall was more effective in reducing recidivism compared to the "Panel Model".
 - Progress continues regarding the reorganization plan for the Department of Human Rights. At this time, CJJP appears to remain a separate division.
 - A sub-committee of the Criminal Code Revision Committee is discussing sentencing guidelines. Some of the duties of the sub-committee is to provide sentencing recommendations to the Governor and General Assembly. Those duties may be absorbed by the Criminal & Juvenile Justice Planning Advisory Council (CJ) and would require the addition of a victim representative on the Council. It appears that a combined JJAC and CJ Council, as discussed in previous meetings, is no longer being considered.
- a. **OJJDP Program Review Visit**

The annual program review was conducted in August by a representative from OJJDP. Site visits were conducted in Waterloo and Oakdale. During the review, it was discovered that sub-grantee information had not been provided through an online entry system. That task has now been completed. An exit interview included Jim Morris, Wayne Clinton, and Kathy Nesteby.

b. **Three-Year Plan Update**

Kuker reported the three-year plan was submitted in March and was approved in August.

III. **National Update**

Federal Advisory Committee on Juvenile Justice (FACJJ)—Andrew Allen reported that one of the major roles of the group is to develop an annual report for the President and Congress. A meeting was held in Saint Louis to develop a template for the annual report, DMC was a major focus. The committee has tasked representatives to seek input from state and local service providers. Appointments for a permanent administrator and second in command will be made within several months.

A bill regarding reauthorization is being drafted in the Senate, the House is waiting until the Senate draft is finalized. The bill should pass by the end of the year. Other discussions included that to be more effective, the EUDL award process may become more competitive to provide larger funding amounts to fewer areas.

Stephen Clarke reported that the Coalition for Juvenile Justice will release a publication encouraging reauthorization of the Act on September 8. The publication can be found on the Coalition's website.

a. **JJDP Act Reauthorization – Action**

Morris discussed a draft letter to Senator Grassley requesting bi-partisan support of reauthorization of the JJDP Act. He asked the Council to review the letter and provide suggestions.

Discussion included:

- There was consensus to include the following regarding dangerous behavior management practices: "although we are not aware of any restraints used in Iowa...".
- The use of extended seclusion be discontinued

- The first sentence of the last paragraph should include "while these highlighted issues are uncommon...".

Carl Smith moved to proceed with sending the letter under Morris' signature, taking into consideration council discussion, seconded by Steve Smith. The motion carried.

Morris will work with Musel to make the suggested changes to the letter.

IV. Council Budget

Kile Beisner reported that FY07 funds were expended at the end of July, primarily for travel by council and committee members.

Upcoming Travel – Action

Tony Reed expressed interest in attending the national juvenile justice conference in Indianapolis during October. Morris noted he could not attend the conference and welcomed Reed representing the Council.

There was consensus to approve travel to the three-day conference including \$175 for registration and \$500 for air fare. Musel will work with Reed regarding a travel budget and forward the information to the Executive Council for approval.

V. New Travel Requirements

Musel reviewed changes to travel requirements for commission members effective July 1, 2009. In order to obtain meal reimbursements, itemized receipts must be submitted. Gratuity is limited to 15%. Members must leave their domicile before 6:00 am to be eligible for breakfast and return after 7:00 p.m. for dinner.

Musel reviewed issues in obtaining individual receipts for Council members when meeting through lunch. A brief discussion included that ordering pizza may be less expensive and a more efficient use of time rather than breaking for lunch.

Andrew Allen moved to arrange catering when meetings require working through lunch, seconded by Karen Jones. The motion carried. Staff will obtain the necessary approval regarding meals in domicile and direct billing.

VI. Compliance Monitoring Report

Musel reported on the core requirements of the JJDP Act and the submission of the annual report on compliance monitoring. Approval should be coming shortly for the last two reports. Musel is currently in the process of visiting facilities and has found some violations, but nothing out of the ordinary. The report will be submitted by the December 31 deadline.

a. Poster & Magnets for Law Enforcement

Musel reviewed samples of posters and magnets listing guidelines regarding the treatment of juveniles under arrest. The information would be placed within areas of law enforcement agencies where juveniles are processed or held. Musel would distribute the information during compliance monitoring visits. The total cost for printing 200 of each item is approximately \$500.

Carl Smith moved to proceed with printing the information, seconded by John Wauters. The motion carried.

Andrew Allen suggested changing the wording to indicate that each criterion must be met.

b. On-line Data Collection Tool

Musel reported that the online collection tool, in use since April 1, collects data from detention centers. Facilities seem to like it and have supplied good information. A couple corrections have been made to the system. The information provided from detention centers is now more secure and confidential.

VII. ICYD/SIYAC Report

Steve Michael reported on legislation enacted last Session regarding the Iowa Collaboration for Youth Development (ICYD) and the State of Iowa Youth Advisory Council (SIYAC). An ICYD kick-off meeting will be held in late September to provide an overview of the purpose and obligations of the group.

SIYAC will hold its first meeting in mid-September. The Council is comprised of 21 youth members aged 14-20 who represent a diverse population—geographically, minority, and socio-economic. Members were appointed on staggered two-year terms. The group's coordinator is an Americorps Vista member working in CJJP. SIYAC's purpose is to stay informed of legislation and provide recommendations regarding issues important to Iowa's youth. The email address is: SIYAC@iowa.gov and the website is www.icyd.iowa.gov.

VIII. P&P Committee

a. Position Papers – Action

Carl Smith reported the Policy and Program Committee has held conference calls to review and discuss informational briefs that would be used to guide proposed legislation.

Topics include:

1. Brain Development
2. Detention screening
3. Partnerships with law enforcement and schools
4. Alternatives to detention
5. 48-hour holds in detention
6. Funding issues related to detention
7. Community education/cultural competency training
8. Importance of data in detention planning

Musel discussed two possible formats and asked for comments. Discussion included ways to prioritize the information. There was consensus that all papers would be dated, include an organizational outline and list of priorities. The Council will have ample time for review prior to final approval.

Carl Smith noted that the information is being brought forth as a Committee recommendation to prepare the papers and submit a final draft to the Council for approval. Each topic includes a one-page executive summary and a separate, more informative paper.

Morris stated the recommendation was coming from the Policy and Program Committee and required no second. There was no further discussion. The motion carried.

The Council recessed for lunch.

IX. DMC Report

a. JRSA Visit Update

Kuker reviewed progress regarding the Justice Research and Statistics Association (JRSA) grant awarded to CJPJ for the implementation of a screening instrument entitled the Iowa Delinquency Assessment. The JRSA wants to determine if local jurisdictions are using the instrument and matching it with local programming. Over the next few weeks, risk assessment data will be matched against a local program in Cedar Rapids to determine the success rate of kids in the program. The JRSA will issue a report near the end of September.

In late July, the JRSA reviewed the state's progress with DMC in terms of the overall rates of reduction in overrepresentation. During the past 15 years, the numbers have held steady with very small reductions, if any. The review focused on activities having the most success and included:

- The JDAI effort
- The DMC Resource Center
- The website
- Technical assistance to local sites
- State and local DMC Committees
- The DMC Conference

During the review, concerns surfaced regarding the lack of success from the state-level DMC conference and that data collected was not being used to affect local DMC policy as well as it could be.

[Verne Armstrong joined the meeting.]

b. DMC Conference/DMC Resource Center Contract

Kuker referenced handouts entitled "DMC Recommendations" and "Cost Estimate for DMC Conference". He provided the following historical information:

- The DMC Committee has been meeting for approximately eight years. During that time, consecutive one-year contracts with the University of Iowa's DMC Resource Center have been issued.
- During the Council's 2008 retreat, the proposed DMCRC contract was reviewed and concerns were raised regarding performance measures and accomplishments.
- Inquiries into the high arrest rates of African Americans for disorderly conduct found that a majority of the charges were originating in metropolitan high schools.
- The DMCRC contract issued in February contained language that the DMCRC would review data sources in Polk, Black Hawk, and Woodbury Counties and develop a standardized protocol to determine how kids were referred for low-level offenses. Although no students would be interviewed, the DMCRC thought the work was primary data collection and raised concerns

regarding human subjects review and their IRB. The DMCRC eventually agreed to inventory the various data sources available in public high schools and certain service providers.

- The DMCRC contract runs from January 1 through September 30, 2009.
- In August, the DMC Committee agreed that the DMCRC contract should be extended through December for expenses related to the coordination of the 8th Annual DMC Conference. The DMC Committee recommends approving the conference budget, however, CJJP fiscal staff have concerns that some of the items are not customarily covered by the State.
- In light of the fact that the DMCRC has identified the work as primary data collection and that the JRSA has identified that data distribution critical to local policy decisions, CJJP staff recommends the development of an RFP.
- DMC Committee members will help determine needs and accountability measures. The RFP would include provisions to provide data at the community level to base policy decisions. CJJP staff would cover short-term technical assistance needs during the RFP process. Other needs include a web site, law enforcement training, annual DMC conference, and participation in the state DMC Committee.

Discussion included:

- After eight years, some progress in affecting DMC should be noted.
- The conference budget request is \$32,703.
- JRSA, OJJDP could be consulted for technical support.
- Ample time should be taken to thoroughly address needs.
- Some normal adolescent behavior in school is being criminalized. There is a need to work with schools to help their staff manage kids.
- Perhaps other agencies, including the Department of Education and the Area Education Agencies, should be consulted regarding direction and interest.

Morris repeated that Recommendation I regarding the contract extension for the conference budget is a Committee recommendation. Jack Selk moved to approve the DMCRC contract extension through December 31, 2009, provided that amounts meet fiscal review and approval, seconded by Stephen Clarke. The motion carried.

Rita Ferneau moved to approve staff recommendation II including advice from national consultants, seconded by Karen Jones. The vote was as follows:

Ayes: Abelson, Allen, Morris, Burkhart, Steve Smith, Schrader, Carl Smith, McAndrew, Reed, Selk, Armstrong, Jones, Ferneau, Wauters, Edmondson

Nays: Stephen Clarke

X. JDAI Report

Kile Beisner reviewed the status of the detention screening tool being piloted in Polk, Woodbury, and Black Hawk Counties. Submissions include 240 from Polk, 60 from Woodbury, and 12 from Black Hawk (number is

low due to technical issues). The override rate is approximately 40%. The tool has identified some issues within the system—technological issues within ICIS, data issues in the counties, and significant issues with law enforcement regarding the statutes being charged.

Before any analysis is completed, approximately 300 cases need to be submitted. Because the submissions are heavy for Polk, but light for Black Hawk, the analysis will be done after a more balanced rate has been submitted. Beisner continues to work on training issues with detention staff.

XI. Gender Report

Rita Ferneau reported that contracts have been issued for training across the state. Girls Circle was held in Dubuque, two to three scholarships were awarded. Funding for regional training will focus on rural areas. Work continues regarding the conference and updating the gray book (basics/teaching tool).

XII. Mental Health Report

There was no formal report.

XIII. Unfinished Business

Judge Stephen Clarke reported he has been recruited for the Iowa Breakthrough Series, a collaborative effort between DHS, the court system, and Casey Family Programs. The goal is to reduce disproportionality and disparate outcomes for children and families of color in the child welfare system. The two-year program involves teams from Ames, Johnson County, Linn County, Davenport, Dubuque, Sioux City, Waterloo, and Des Moines.

XIV. New Business

There was no new business to come before the Council.

XV. Next Meeting

The next meeting will be held December 3, 2009, at Polk County River Place. A new member orientation will be held either before or after the meeting. All members are welcome to attend the orientation.

XVI. Adjourn

The meeting adjourned at 1:41 p.m.

Respectfully submitted,



Julie Rinker-Lind
Administrative Secretary

Attachment

DMC Related Recommendations
JJAC Meeting
September 3, 2009

Recommendation I:

Carry forward the recommendation from the DMC Committee to approve the budget submitted by the DMC Resource Center for the 2009 DMC Conference.

Staff Recommendation II:

Request for the DMC Committee to work with CJJP to develop an RFP/RFP's for the below related activities. The development of the RFP must be based on a broader discussion with the DMC Committee regarding its definitions for success – and how success will be achieved and measured:

- Technical assistance and support to local communities to include:
 - Bridging local activities between JDAI and DMC through participation in local meetings. Discussion of and outcome based planning based on data must be one of the major components of such discussions.
 - Brokering of written agreements between the courts, Juvenile Court Services, local Law Enforcement, and Schools regarding the referral of youth from schools to juvenile court service.
 - Provision of assistance to provide relevant speakers and/or consultants to local officials.
 - Assistance, where necessary, with primary data collection.
 - Assistance with the provision of outcomes regarding relevant programming and process evaluation for local efforts.
 - Work with local sites to bring about policy or procedural change to affect detention reform and JDAI.
- An annual DMC Conference as planned in conjunction with the DMC Committee which should include:
 - Strategically oriented with workshops to have specific affect regarding DMC and JDAI.
 - Be coordinated, where possible, with conference activities for the Iowa Department of Human Services Minority Youth and Families Initiative.
- Allow for the provision of information through a website with relevant DMC and JDAI information.
- Provide training for law enforcement in select communities regarding cultural competency training and gender. The DMC Committee has indicated specific concerns and issues with the term "cultural competency training". Develop of the RFP should consider those concerns. The recommendations in the May 2009 Report of the Youth Race and Detention Task Force should guide the provision of such training.
- Participation in state DMC Committee and other relevant state level meetings.